

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 19-cr-0297 (WMW/DTS)

Plaintiff,

**PRELIMINARY ORDER OF
FORFEITURE**

v.

Brandon Lee St. Clair,

Defendant.

Before the Court is the unopposed motion of Plaintiff United States of America for a preliminary order of forfeiture. (Dkt. 45.) The Court finds that the property at issue is subject to forfeiture, 18 U.S.C. § 924(d)(1) and 21 U.S.C. § 853(a)(1), and that the United States has established the requisite nexus between such property and the offenses of which Defendant Brandon Lee St. Clair has been found guilty.

Based on the foregoing and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. Plaintiff United States of America's Motion for a Preliminary Order of Forfeiture, (Dkt. 45), is **GRANTED**.

2. Defendant Brandon Lee St. Clair shall forfeit to the United States the following property:

- a. Kel-Tec .380 caliber handgun with an obliterated serial number and all accessories and ammunition pursuant to 18 U.S.C. § 924(d)(1) in conjunction with 28 U.S.C. § 2461(c);

- b. \$7,900 cash seized on June 10, 2019, pursuant to 21 U.S.C. § 853(a)(1) and (2); and
- c. \$1,300 cash seized on August 16, 2019, pursuant to 21 U.S.C. § 853(a)(1) and (2) (collectively, “the Property”).

3. The United States Attorney General or an authorized designee may seize and maintain custody and control of the Property pending the entry of a Final Order of Forfeiture.

4. Pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 28 U.S.C. § 2461(c), the United States shall publish and give notice of this Order and the intent of the United States to dispose of the Property in such manner as the Attorney General may direct.

5. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), (c)(1)(B), and 21 U.S.C. § 853(m), the United States may conduct discovery to identify property subject to forfeiture under the terms of this Order, or to address any factual issues raised by a third-party petition filed pursuant to Federal Rule of Criminal Procedure 32.2(c).

6. This Order shall become final as to Defendant at the time of sentencing, made part of the sentence and included in the judgment. Fed. R. Crim. P. 32.2(b)(4)(A), (B).

7. Following the Court’s disposition of any petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period established to file such petitions, the United States shall have clear title to the property at issue and may warrant good title to any subsequent purchaser or transferee.

8. This Court shall retain jurisdiction to enforce this Order and to amend it as necessary. Fed. R. Crim. P. 32.2(e).

Dated: October 30, 2020

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge